

REMARKS/ARGUMENTS

Status of the Claims

Upon entry of the present amendment, claims 1-30 are pending. Claims 1-11 and 18-30 are withdrawn as directed to a non-elected invention. Because Applicants have elected to prosecute product claims, withdrawn process claims that depend from or contain the limitations of allowed the product claims will be considered for rejoinder.

Response to the Restriction Requirement

Applicants elect to prosecute claims 12-17 of Group II, with traverse.

Applicants traverse the restriction requirement between Groups I-IV because the search and examination of the claims in the present specification can be made without a serious burden on the Examiner; therefore, pursuant to M.P.E.P. § 803, the Examiner must examine all claims on the merits, even if the claims are directed to independent and distinct inventions. Here, the DNA expression cassettes of Group I contain the same elements of the library of DNA expression cassettes of Group II. The methods of Groups III and IV also recite DNA expression cassettes containing the same elements as the DNA expression cassettes of Groups I and II.

At a minimum, Applicants respectfully request rejoinder of the claims in Group II and Group III, related as product and methods of producing. Only 11 claims are included in Groups II and III. The methods claimed in Group III contain the elements of the compositions claimed in Group II. Therefore, Applicants respectfully submit that examining the 11 claims of Group II and Group III together in a single application will not impose a serious burden on the Examiner.

Because Applicants have elected Group II, no species election is required.

Appl. No. 10/626,512
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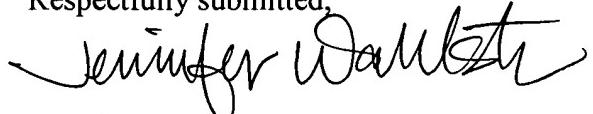
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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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